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10 Attorneys for Plaintiff

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 UNITED STATES OF AMERICA,) No. CR 05-00228 WDB
15 Plaintiff,)
16 v.) STIPULATION AND [PROPOSED]
17 JOAN S. DENNE,) ORDER FOR EXCLUSION OF TIME
18 Defendant.) UNDER THE SPEEDY TRIAL ACT, 18
U.S.C. § 3161 ET. SEQ.
19

20 The parties in the above-captioned action stipulate and agree that the time from
21 June 10, 2005 to June 30, 2005 is excluded under the Speedy Trial Act, Title 18, United States Code,
22 Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv). Specifically, the parties agree and stipulate that the
23 ends of justice are served and outweigh the best interest of the public and the defendant in a speedy
24 trial by excluding this time under the Speedy Trial Act for effective preparation by counsel to
25 investigate the potential for pretrial diversion in this case.

26 In addition, the parties stipulate and agree that the time between June 10, 2005 to June 30,
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STIPULATION AND [PROPOSED] ORDER
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1 2005 for counsel to prepare this case for the foregoing reasons is a reasonable period of time, taking
2 into account the exercise of due diligence.

3 SO STIPULATED.

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5 DATED: June 9, 2005

Debra Levine
DEBRA LEVINE
Counsel for Joan S. Denne

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7 DATED: June 9, 2005

Dana R. Wagner
DANA R. WAGNER
Assistant United States Attorney

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10 **ORDER**

11 Based upon the reasons provided in the foregoing stipulation of the parties, the Court hereby
12 FINDS that the time between June 10, 2005 to June 30, 2005 is excluded under the Speedy Trial Act
13 pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv) on the grounds that the ends of justice
14 are served and outweigh the best interest of the public and the defendant in a speedy trial by
15 excluding this time under the Speedy Trial Act, and that this is a reasonable period of time necessary
16 for the effective preparation of the case by counsel to investigate defendant's potential for pretrial
17 diversion taking into account the exercise of due diligence.

18 Based on these findings, IT IS HEREBY ORDERED THAT the time from June 10, 2005 to
19 June 30, 2005 is excluded under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and
20 3161(h)(8)(B)(iv).

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22 IT IS SO ORDERED.

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24 DATED: June 10, 2005

/S/ WAYNE D. BRAZIL
Wayne D. Brazil
United States Magistrate Judge

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STIPULATION AND [PROPOSED] ORDER
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